

17CSW204

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
SEARCH WARRANT

TO: **CHIEF OF POLICE OR ANY OTHER LAW ENFORCEMENT OFFICER**
(Specific law Enforcement Officer or Classification of Officer of the Metropolitan Police Department or other Authorized Agency)

AFFIDAVIT, herewith attached, having been made before me by **Detective Rachel Pulliam, D2-1391, of the Metropolitan Police Department, Sexual Assault Unit**, that he has probable cause to believe that on the person of **Damien Jones, B/M, DOB: [REDACTED] 1985**, as more fully set forth in the affidavit in support of this search warrant, which affidavit is incorporated herein by reference in the District of Columbia, there is now being concealed evidence, namely the suspect male's cheek cells/saliva (buccal swab);

WHICH IS evidence of a violation of Second Degree Sexual Abuse in violation of 22 D.C. Code Section 3003 (2001 ed.) and as I am satisfied that there is probable cause to believe that the evidence so described is being concealed in the above listed person at the above listed place and that the foregoing grounds for issuance of the warrant exist.

YOU, WITH THE ASSISTANCE OF THE UNITED STATES MARSHAL SERVICE (if needed), ARE HEREBY AUTHORIZED within 10 days of the date of issuance of this warrant to search the designated person for the property specified, and if the property be found there,

YOU ARE COMMANDED TO SEIZE IT, TO WRITE AND SUBSCRIBE in an inventory of the property seized, to leave a copy of this warrant and return, and to file a further copy of this warrant and return with the Court on the next Court day after its execution.

Issued this 17 day of January, 2017


Judge, Superior Court of the District of Columbia

RETURN

I received the above warrant on 17th January, 2017 and have executed it as follows: On 1/25/17, 2017 at 12:00PM, I searched the person described in the warrant and Left a copy of the warrant and return with Damien Thaddeus Jones properly posted.

(name of the person searched)

The following is an inventory of the property taken pursuant to this warrant:

① Buccal Swab

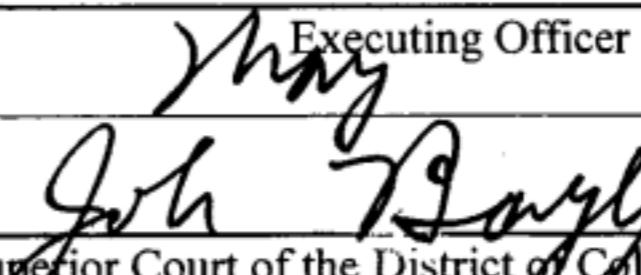
FILED
17
11:55
FEB 1 2017
SUPERIOR COURT
OF THE DISTRICT OF COLUMBIA
JUDGE'S PART

This inventory was made in the presence of Det. E. Boyle, DET N. 1121

5

I swear that this is a true and detailed account of all property taken by me under this warrant.

Subscribed and sworn to before me this 8 day of January, 2017


Executing Officer
Judge, Superior Court of the District of Columbia


1/17/17

17 CSw264

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
SEARCH WARRANT

TO: **CHIEF OF POLICE OR ANY OTHER LAW ENFORCEMENT OFFICER**
(Specific law Enforcement Officer or Classification of Officer of the Metropolitan Police Department or other Authorized Agency)

AFFIDAVIT, herewith attached, having been made before me by **Detective Rachel Pulliam, D2-1391, of the Metropolitan Police Department, Sexual Assault Unit**, that he has probable cause to believe that on the person of **Damien Jones, B/M, DOB: [REDACTED] 1985**, as more fully set forth in the affidavit in support of this search warrant, which affidavit is incorporated herein by reference in the District of Columbia, there is now being concealed evidence, namely the suspect male's cheek cells/saliva (buccal swab):

WHICH IS evidence of a violation of Second Degree Sexual Abuse in violation of 22 D.C. Code Section 3003 (2001 ed.) and as I am satisfied that there is probable cause to believe that the evidence so described is being concealed in the above listed person at the above listed place and that the foregoing grounds for issuance of the warrant exist.

YOU, WITH THE ASSISTANCE OF THE UNITED STATES MARSHAL SERVICE (if needed), ARE HEREBY AUTHORIZED within 10 days of the date of issuance of this warrant to search the designated person for the property specified, and if the property be found there,

YOU ARE COMMANDED TO SEIZE IT, TO WRITE AND SUBSCRIBE in an inventory of the property seized, to leave a copy of this warrant and return, and to file a further copy of this warrant and return with the Court on the next Court day after its execution.

Issued this 17 day of January 2017



Judge, Superior Court of the District of Columbia

RETURN

I received the above warrant on 1/25/2017, 2017 and have executed it as follows: On 1/25/2017, I searched the person described in the warrant and left a copy of the warrant and return with Damien Thaddius Jones properly posted.
(name of the person searched)

The following is an inventory of the property taken pursuant to this warrant:

1 Buccal Swab

This inventory was made in the presence of

Allison Moller

Det. Z. Boyd, Det. N. Kiri

I swear that this is a true and detailed account of all property taken by me under this warrant.

Executing Officer

Subscribed and sworn to before me this _____ day of _____, 20____

Judge, Superior Court of the District of Columbia



1/11/17

**Metropolitan Police Department
Washington, D.C.**

17 CSW 264

**Affidavit in Support of an Application for
Search Warrant**

— United States
District Court

X Superior Court of the District
of Columbia

I request the Superior Court of the District of Columbia issue a search warrant authorizing law enforcement personnel to search for deoxyribonucleic acid (DNA) contained within the nuclei of the cells belonging to the following Suspect:

Damien Thaddeus Jones

Black Male

DOB [REDACTED] 1985

Home Address:

■ Washington DC

The facts set forth in this affidavit establish probable cause that the Suspect committed the criminal offense, Second Degree Sexual Abuse (D.C. Code § 22-303).

The relied upon facts used to establish said probable cause were drawn from the Complainant's statements, medical report, and forensic evidence.

1/13/17
Study break
2/17/17

Resume

Your affiant, Detective Rachel M. Pulliam, has been a sworn member of the Metropolitan Police Department, Washington, D.C., since 2008. Currently, your affiant is assigned as a Detective to the Criminal Investigations Division, Special Investigations Branch, Sexual Assault Unit.

Since becoming a member of the Metropolitan Police Department, your affiant has held the positions of Patrol Officer, Investigator, and Detective. During her tenure with the Metropolitan Police Department, your affiant has been involved with investigating and arresting hundreds of persons to include, but not limited to firearms and narcotics related offenses, burglary, robbery, fraud and theft offenses, sexual assault offenses, as well as other offenses that are violent in nature.

In addition, your affiant has received criminal investigations training from the Metropolitan Police Academy, the United States Attorney's Office and the Northeast Counter Drug Training Center. With this law enforcement training, your affiant has been afforded the opportunity to experience training in interviewing and interrogation techniques, arrest procedures, search and seizure procedures, narcotics and gun trafficking investigations, burglary, assault and robbery investigations, computer crimes investigations, sexual assault investigations and a variety of other tools available to law enforcement officers.

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CCN 15-175-921

RP 1/17/17

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Metropolitan Police Department
Washington, D.C.

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DNA

Each individual person has unique DNA contained within the nuclei of his or her cells. A person's cells can be collected from biological materials such as blood, sperm, and skin; and DNA can be extracted from the nuclei of those collected cells. The extracted DNA is referred to as a DNA sample. One can transfer his or her own cells to another person or object upon physical contact with that other person or object. Those transferred cells can be forensically collected and then analyzed for DNA. If DNA is found, a DNA sample can be extracted from the nuclei of said transferred cells.

DNA extracted from the nuclei of cells obtained from a person whose identity is known is referred to as a known DNA sample. A known DNA sample can be scientifically compared to another DNA sample to determine if both samples originated from the same person.

A common procedure recognized by courts for collecting a known DNA sample is with a buccal swab. A buccal swab is a minimally invasive method that involves passing a sterile, cotton tipped swab along the inside of a person's cheek. The swab captures the person's skin cells from which a known DNA sample can be extracted. This procedure is quick and painless, and poses no threat to the health or safety of the person.

Criminal Offense

On November 4, 2015, the complainant responded to 300 Indiana Avenue NW to report a sexual assault that occurred at an unknown time between October 24, 2015 and October 25, 2015. Your affiant and Detective James Phillips met with the complainant who gave the following account:

On Saturday October 24, 2015, the complainant went to dinner with the suspect, a work supervisor of hers. The suspect, who she identified as Damien Jones, ordered himself and the complainant multiple pitchers of margaritas. The complainant believes that she had at least four large mugs of margaritas before she and the suspect took a hired car service back to the suspect residence at [REDACTED] Washington, DC.

Once they arrived at the suspect's residence, the complainant had one additional shot of Whiskey. After the alcohol, the suspect asked the complainant to assist him in grinding some marijuana to smoke. The complainant complied, but told the suspect that she did not smoke. The complainant stated that her memory and recollection of events start to

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fade at that time but that she recalled the suspect putting a pipe to her mouth causing her to inhale what she believed was marijuana.

The next memory that the complainant recalled was lying on the couch with the suspect on top of her kissing her and biting her lip. The complainant stated that she told the suspect to stop but that she could not recall what occurred next. The subsequent event the complainant remembered was throwing up into her hands in the bathroom with the suspect. While still in the bathroom the complainant remembered the suspect forcing her head down onto his penis but does not recall whether she was able to tell him to stop. The next event the complainant remembers was lying in the suspect's bed with her clothing off and the suspect standing in the door. The complainant recalled throwing up one more time in the night before waking up the next morning. When she awoke, the complainant stated that she was still naked in the suspect's bed and that the suspect was lying next to her. The complainant asked the suspect for her belongings and noticed that at approximately 9:00 pm the night before she sent Witness 1 a text message asking for help. The complainant put on her clothing and took a car service away from the residence.

On October 25, 2015, the complainant called Witness 2 and relayed to her what she was able to recall. Witness 2 then assisted the complainant in text messaging the suspect, asking him what occurred the previous night. The suspect responded to the messages stating that the complainant was very intoxicated and that she threw up but nothing else happened. Witness 2 then called the suspect and placed the call on speaker so that the complainant could speak to him. Within this phone conversation the suspect denied that there was marijuana but when the complainant told him that she remembered the marijuana he told her that she had a good memory. The suspect completely denied that any sexual acts between them occurred. Witness 2 told the complainant that she should go to the hospital and have a Sexual Assault kit done.

Physical Evidence

On October 25, 2015, the complainant went to an area hospital and underwent a medical examination specifically for sexual assault complainants. Medical personnel specially trained to administer such an examination completed the examination.

During that examination, the medical personnel swabbed different areas of the complainant's body in effort to recover biological material left behind by the suspect during this sexual assault. Those swabs were preserved as evidence. The medical report

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related to the examination noted that the complainant had pain in her upper left gum, swelling in her lower back, pain in her right anterior neck, a broken right ring finger, redness and swelling in the labia minora, redness in the female genital diagram, blood in the cervix, and yellow stringy discharge in the endovaginal area. The contents of this kit and the clothing the complainant was wearing the previous night were submitted to the District of Columbia's Department of Forensic Science.

On March 14, 2016 Signature Science issued a forensic case report to the D.C. Department of Forensic Science. The report indicates that serology testing was conducted on the items in the Sexual Assault Kit. Semen was identified on the item designated as "outer clothing, pants worn after/during assault." No semen was identified on any other item in the Sexual Assault Kit. That item was tested for the presence of DNA. No DNA profile was obtained from the sperm fraction of that item. The DNA profile obtained from the non-sperm fraction was a mixture of 2 individuals with a major female contributor. The major DNA profile matches the complainant's profile. Assuming only two contributors to the mixture and the complainant is a contributor to the DNA mixture, the DNA profile of a minor male contributor was partially deduced, and designated as Male 1.

Suspect Identification

The complainant stated that she knew the suspect as, Damien Jones, and provided the detectives with his phone number, address, and pictures from his social media accounts.

Detective Pulliam called the provided number and left a message asking the suspect to call back. A short time later the suspect's attorney returned the detective's call and stated that he was representing the suspect and that the suspect would not be providing a statement.

Conclusion

DNA comparative testing is a key component of modern criminal investigations as this testing has the unparalleled ability both to exonerate the wrongly accused, and identify the guilty. In this instance, comparative testing can be performed between a known DNA sample from the Suspect and any other DNA sample recovered in this case to determine whether the DNA samples match. The results of that DNA comparative testing are material to this investigation.

PL 1/17/17

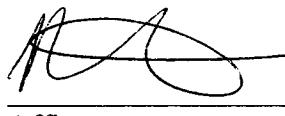
**Metropolitan Police Department
Washington, D.C.**

**Affidavit in Support of an Application for
Search Warrant**

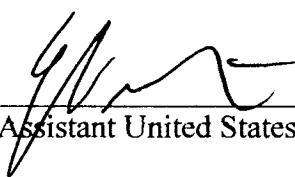
United States
District Court

X Superior Court of the District
of Columbia

Therefore, your affiant requests that a search warrant be issued permitting law enforcement personnel to use a buccal swab to obtain a known DNA sample from the Suspect.

 1/17/17

Affiant



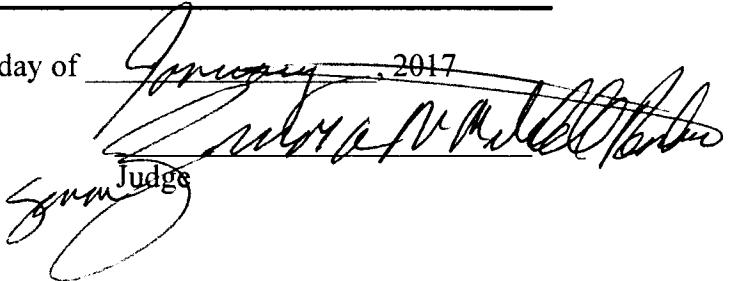
Assistant United States Attorney

CID/SAN

Element

Subscribed and sworn to before me this 17 day of

Magistrate


January 17, 2017
Zachary A. Weller, Judge
Suzanne J. Judge